

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

BLACK LOVE RESISTS IN THE RUST, *et al.*,
individually and on behalf of a class of all others
similarly situated,

Plaintiffs,

v.

CITY OF BUFFALO, N.Y., *et al.*,

Defendants.

No. 1:18-cv-00719-CCR

DECLARATION OF CHARLES PALMER

Charles Palmer declares, under penalty of perjury and pursuant to 28 U.S.C. § 1746:

1. My name is Charles Palmer. I am one of the Plaintiffs in this action.
2. I make this declaration in support of Plaintiffs' Motion for Class Certification.
3. I am a 40-year-old Black man, and I lived in Buffalo for over twenty years prior

to relocating to North Carolina in February of 2021. I grew up on the East Side of Buffalo on Newburgh Avenue.

4. I am a graduate of Buffalo State University, a disabled veteran of the United States Air Force, and a former carpenter.

5. In or around 2015, I began experiencing vision problems, and the glare from the sun bothered me while driving during the day. I tinted my car windows to address my sensitivity to the light.

6. At this time, I moved frequently and used my aunt's address on the East Side as my permanent address. For this reason, the address on my driver's license sometimes did not match the address where I temporarily resided.

7. In November 2015, BPD Housing Unit Officer Jared Domaracki pulled me over while I was driving on the East Side on Suffolk Street and Hempstead Avenue. Officer Domaracki ran my license and questioned me about where I was going, to which I replied I was going home. I received three tickets—two for tinted windows and one for failure to notify the Department of Motor Vehicles of a change in my home address.

8. In January 2016, BPD Strike Force Officer Adam Wigdorski pulled me over on the East Side, on Newburgh and East Delavan. Officer Wigdorski issued me five tickets—four for tinted windows and one for failure to notify the Department of Motor Vehicles of a change in my home address.

9. In June 2016, BPD Housing Unit Officer Charles Miller pulled me over on the East Side, on Bailey and Kensington, and issued five tickets—four for tinted windows and one ticket for expired registration. My registration had expired the previous day.

10. I believe I was targeted, pulled over, and ticketed multiple times for my tinted windows because I am Black and lived and drove on the East Side of Buffalo. I believe Buffalo Police Department's traffic enforcement practices are racially discriminatory because of how they concentrated their enforcement efforts on the East Side, which is predominately Black.

11. In addition, I believe that officers used their discretion to issue me an excessive number of tickets. I felt these ticketing incidents were a violation of my rights.

12. I feel anxiety when I drive in Buffalo and try to limit my driving while I am there because I fear the Buffalo Police Department will continue to target, harass, and ticket me.

13. I plan to drive in Buffalo during future visits there to see my friends and family.

14. I understand that this case is a proposed class action.

15. I am willing to serve as a representative for the Tinted Windows Class and Traffic Enforcement Classes on behalf of myself and other people whose facts and circumstances are similar to mine. I understand that the Tinted Windows Class is seeking monetary damages, and the Traffic Enforcement Class is seeking a court order declaring the City of Buffalo's traffic enforcement practices unlawful and ordering the City to change its practices.

16. I understand that as a class representative, I have a responsibility to participate actively in the litigation. I am represented in this lawsuit by lawyers from the National Center for Law and Economic Justice, the Center for Constitutional Rights, the Western New York Law Center, and Covington & Burling LLP. Since joining this lawsuit, I have communicated regularly with my counsel, kept informed of the progress of the case, reviewed and approved the Amended Complaint (primarily the paragraphs that describe my experiences), participated in written discovery, sat for a deposition, and talked with my counsel about what I think a fair resolution of this case would be.

17. I understand that as a class representative I have a responsibility to protect the interests of the entire class, not just my own interests, and to ensure that my counsel prosecutes the case vigorously and in the interest of all class members. I agree to fulfill my responsibilities as a class representative.

Dated: May 24, 2024



Charles Palmer